

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

NORMA JEAN ROGERS,)
)
Plaintiff,) No.
)
)
)
LIFE CARE CENTERS OF AMERICA,)
)
Defendant.)

NOTICE OF REMOVAL

Comes the Defendant, Life Care Centers of America, Inc., by counsel, and notifies the Court pursuant to 28 U.S.C. §1441, et.seq., of removal of a state court action, and respectfully shows unto the Court the following:

1. On or about March 5, 2012, Plaintiff Norma Jean Rogers filed a Complaint in the Circuit Court of Hamilton County, Tennessee, against the Defendant. The state court action was styled Norma Jean Rogers v. Life Care Centers of America, and was designated as Hamilton County Circuit Court docket no. 12C333.

2. In her Complaint, Plaintiff seeks compensatory damages in the amount of \$150,000.00, punitive damages in the amount of \$500,000.00, attorney fees, expenses, and discretionary costs for the alleged deprivation of her rights under the Tennessee Human Rights Act, Title VII of the Civil Rights Act of 1964, and the Family and Medical Leave Act.

3. On or about March 8, 2012, service of process in the state court action was effected upon Defendant Life Care Centers of America, Inc.

4. Defendant files herewith as collective Exhibit A, copies of all pleadings heretofore filed in the state court action and served upon Defendant.

5. This Court has jurisdiction over this cause under 28 U.S.C. § 1331 and 28 U.S.C. § 1441, et. seq. Plaintiff seeks relief against Defendant, in part, upon the basis of alleged violations of Title VII of the Civil Rights Act of 1964, as codified at 42 U.S.C. § 2000(e), et seq., and the Family and Medical Leave Act, as codified at 29 U.S.C. § 2601, et seq. and thus asserts a cause of action that arises, in part under the laws of the United States.

6. Defendant files herewith as collective Exhibit B, copies of the Notices of Removal which have been sent to Plaintiff's counsel and to the Clerk of the Circuit Court of Hamilton County, Tennessee, from whence this case is sought to be removed.

WHEREFORE, Defendant prays that this cause proceed in this Court as an action properly removed hereto.

DATED: April 9, 2012.

EVANS HARRISON HACKETT PLLC

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Counsel for Defendant Life Care
Centers of America, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that service of the foregoing Notice of Removal was made upon the following counsel of record for the Plaintiff, a Filing User, through the Court's Electronic Filing System:

Justin C. Angel
Law Office of Howard L. Upchurch
P.O. Box 381
Pikeville, Tennessee 37367.

This the 9th day of April, 2012.

EVANS HARRISON HACKETT PLLC

By: s/John C. Harrison
John C. Harrison

Counsel for Defendant Life Care
Centers of America, Inc.